

REMARKS**Claim Rejections**

Claims 8-19 were pending and all stand rejected. Claims 8-10, 16 and 18 stand rejected under §102 as anticipated by Parish. The remaining claims stand rejected under §103 as unpatentable over Parish.

Amended Claims

Claims 8 and 10-19 are amended here. Amendments to the claims here are matters of form, not intended to narrow the claims, and not for purposes of unpatentability, except as expressly argued hereinafter.

Patentable Subject Matter

The Examiner rejected all the claims. The claims as amended better characterize the invention and distinguish over the Parish reference both in terms of anticipation and non-obviousness. First, Claims 8-15 have been amended to better point out the nature of the audio control. See specification paragraph 39 directed to this, explaining operation of the control panel 260 which is at the target (remote) location:

The automated session and volume control panel 260 can automatically increase, decrease or mute the soundtrack of the media content to allow for more realistic conversation between the source and target operators through the video teleconferencing system 230.

Further description is at paragraph 74:

The audio switch 960 allows the target operator to remotely control the audio levels at the source location.... The audio interface 940 sends a signal to the audio system 115, which triggers the audio system 115 to adjust the audio levels at the source location. The audio switch 960 can be part of automated session and volume control panel 260.

Therefore at the remote (target) location, the operator there can separately control the volume as played at the other (source) location of both the video conferencing spoken audio and the media content soundtrack audio. This allows the combination of video teleconferencing, which carries the conversation, with the simultaneous playing of the soundtrack of the media content being edited. This has been found to be advantageous since otherwise the video conferencing conversation is difficult due to the simultaneous playing of the media soundtrack. In this case, the audio control at the source can be carried out from the remote location, not just from the source location. Hence, this is remote audio control which typically involves altering the audio level in terms of loudness.

The other aspect to which the present claims are directed is remote control of playback of the material being edited typically, for instance, video and/or audio such as a movie from the remote (target) location. See paragraph 38:

The remote non-linear editing control console 240 provides remote playback control over the media content display 220 and the source location's media content playback screen 120 by remotely controlling the non-linear editing system 130. The editing control console 240 allows the target operator, such as the director, to move through the media content in a manner similar to a videotape player control, (i.e., start, stop, fast forward, rewind, shuttle/jog, pause, etc.).

Thereby advantageously, the remote (target location) operator controls the editing system remotely at the source location using such professional-type controls. The reference to "shuttle/jog" quoted refers to a well known control used in professional video editing. This is also referred to as a jog/shuttle or jog and shuttle controller. This controller as is well known in the video and editing field is a central wheel surrounded by an outer ring, which move independently. Typically the shuttle outer ring allows play and hold at the playback speed desired while the jog (inner wheel) allows more finite frame-by-frame control. This is to be contrasted with the more common, less expensive, and less sophisticated use of a mouse and other conventional personal computer-type controls used in other types of editing systems.

Moreover, the remote control of the content playback includes the aspects as in paragraph 33:

The computer system 160 allows the source operator to overlay graphics, text or other information onto the media content. This overlaid information is inputted into the video teleconferencing system and transmitted to the target location to be viewed by the target operator as overlaid information on the target location's media content display 320.

Thus the use of the overlays is advantageously provided interactively during a video conferencing session.

Claims Distinguish over the References

Claim 8 as amended more clearly recites the above described remote audio control, both spoken and that of the audio content. Hence amended Claim 8 recites "transmitting spoken audio from a user of the editing system at the target location to a user at the source location; manipulating from the target location a level of the audio content as played at the source location; and manipulating from the target location a level of the transmitted spoken audio as played at the source location thereby to facilitate conversation between the users."

As set forth above, this is highly advantageous in terms of facilitating the conversation by allowing both the remote control of the audio of the media content as played at the source location and of the transmitted spoken audio from the target location as played at the source location, with these being controlled separately if needed. It is respectfully submitted that the Parish reference does not disclose this. There is no indication in Parish of any control from the target location of sound levels as played at the source location. Parish apparently uses a conventional video conferencing system between the two locations, but there is no indication in Parish of remote control from the target of either or both of the audio levels as played at the source. Typically, of course, in video conferencing the spoken audio volume control is only local, that is, each location controls the level of audio played at its location but not at the other. Hence Parish does not meet Claim 8.

In rejecting Claim 8 (prior to the present amendment), the Examiner stated (top of page 2) "Parish discloses manipulating from the target location a level of the transmitted audio content (page 14, lines 20-24), wherein Parish teaches manipulation of the transmitted audio content, the

content level being manipulated in a distinct format at the target location. Parish discloses manipulating from the target location a level of the transmitted spoke audio, thereby to facilitate conversation between the users (page 13, lines 19-24), Parish teaching that transmitted spoken audio is further manipulated by level to be output at the remote site...".

However, it is respectfully submitted that these portions of Parish do not meet Claim 8 directed to remote control of audio at the other location. Claim 8 thereby distinguishes over Parish, as do Claims 9-11 dependent thereon.

Claim 10 has been amended and is supported by, as pointed out above, paragraph 33. Amended Claim 10 recites "adding at least one of graphics, text, or other information to the media content in conjunction with the video conferencing." The Examiner rejected Claim 10 (prior to the present amendment) citing Parish, page 18, line 7-11. The Examiner stated "Parish discloses adding at least one of graphics, text, or other information to the transmitted media content (page 18, lines 7-11),...". However, as pointed out at Parish, page 18, line 7 and following, this is done by use of "the video mail system to annotate the work-piece and include editing instructions to be performed by the base-site-located editor, step 338." (Emphasis added.) Parish's annotation is apparently performed using the Creative Partner software (see below) which is a separate program from his editing software and thus not immediately interactive with the editing process. Hence, any such markups in Parish are done in an off-line editing session using "video mail" as specified at Parish page 18, line 7. This is not done in Parish "in conjunction with the video conferencing" as in amended Claim 10, but instead off-line using the "video mail." Hence Claim 10 clearly distinguishes over Parish and is additionally allowable.

Dependent Claim 11 as amended is more specific about the nature of the manipulating the transmitted audio content and recites that this is "as played at the source location", the same language added here to the final clause of Claim 8. Hence Claim 11 distinguishes over Parish for this additional reason and is similarly allowable.

Independent Claim 12 is an apparatus claim having similarities to the Claim 8 method. Claim 12 has been amended similarly to Claim 8 and hence is allowable for at least the same reasons as pertain in Claim 8.

Claims 13-15 are allowable for at least the same reasons as base Claim 8 and respectively correspond to Claims 9, 10 and 11 and are allowable for at least the same reasons as pertain to those claims as pointed out above.

Method Claim 16 is directed to remote control of the editing system for controlling playback of the media content. Claim 16 as amended here recites “manipulating remotely from the target location the editing system at the source location to control playback of the media content at both locations at about the same time;”. This refers to the remote playback control feature described above, whereby the target location controls the editing system which is located at the source for playback of the media content being edited. No such feature is present in Parish, as pointed out above.

The Examiner rejected Claim 16 (prior to the present amendment) at the bottom of page 3 of the Action carrying over to page 4 where the Examiner said “Parish discloses manipulating remotely from the target location the editing system at the source location to control playback of the media content (page 16, lines 15-20), wherein the editing of the media content is the remote manipulation at the remote site and viewable at other sites wherein the director can view what is being manipulated at another remote site.” It is respectfully submitted that such remote control of the editing system is not disclosed in Parish. In Parish, only the editor at the base (source) location can do any editing. The remote site director can merely watch what the base location editor is doing. See Parish at page 17, line 14-25. As stated in Parish beginning at page 17, line 21 “The editor makes the edits while the others can monitor the nature of the edits by observing the graphical user interface screen that the editor uses to make the edits.”

Also see Parish, as cited by the Examiner, page 16, line 16, regarding the Creative Partner server software. Again, however, as stated in that same paragraph of Parish at page 16, beginning line 18 “In addition, the computer 246 receives the editing system user interface during an editing session so that the director can watch the settings being changed by the editor

as the editor makes changes.” Thereby, while this Creative Partner server software is mentioned, it apparently merely allows the director to watch remotely what the editor at the source (base) location is doing, rather than the director doing any editing or control himself. Hence clearly Claim 16 distinguishes over Parish.

Similarly Claim 17 dependent on Claim 16 also distinguishes over Parish. Moreover, Claim 17 has been amended to recite “using a shuttle and jog control at the target location.” This use of such a sophisticated professional control is discussed above. While well known generally in the video field, typically such controls are only available at the editing system located at the base (source) location. Providing jog and shuttle for remote control, it is respectfully submitted, is both advantageous and novel here over Parish. Use of a shuttle and jog as opposed to a more conventional computer mouse control is advantageous since the shuttle and jog is consistent with how editing is performed by a professional editor and gives a better feel for the editing. Clearly Parish does not meet Claim 17. Hence Claim 17 is patentable in addition to the reasons cited above for base Claim 16.

System Claim 18 is directed to subject matter having similarities to that of method Claim 16, including remote control of the editing system, and has been amended here similar to Claim 16. In accordance with Claim 18, the source location editing system is manipulated from the target location by as recited in Claim 18 “an editing control console at the target location”. As a result, the director or operator at the target location can provide overlay notes or comments to the editor while the director is viewing the media content at the same time the same content is viewed by the editor at the source location. No such advantage is provided by Parish who instead delivers any notes off-line by video mail, as explained above. Hence Claim 18 distinguishes over Parish at least for the reasons pointed out above in conjunction with Claim 16.

Claim 19, dependent upon Claim 18, is similar to Claim 17 and hence additionally allowable for the reasons pointed out above for Claim 17.

CONCLUSION

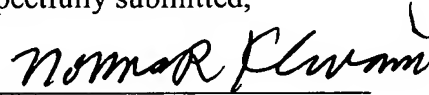
Therefore it is respectfully submitted that all pending Claims 8-19 are allowable and allowance thereof is requested. If the Examiner contemplates other action, the Examiner is requested to contact the undersigned at the telephone number given below.

In the event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant(s) petition(s) for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing (new) docket no. **590282001400**.

Dated: March 15, 2006

Respectfully submitted,

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